

Search Warrant

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

## In the Matter of the Search of

*(Briefly Describe the property to be searched or identify the person by name and address)*Black Samsung Smartphone IMEI 355355111315122,  
currently located at the Gila River PD, 639 W Seed  
Farm Rd Sacaton, AZ 85147Case No. 22-5424MB

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of Arizona.  
(identify the person or describe the property to be searched and give its location):

## As further described in Attachment A.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

## As set forth in Attachment B.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before

11/1/22*(not to exceed 14 days)*☒ in the daytime 6:00 a.m. to 10 p.m.☐ at any time in the day or night as I find reasonable cause has been established.

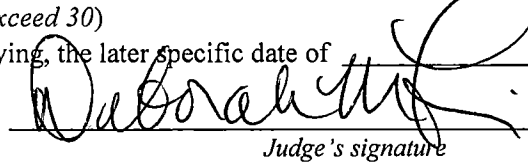
Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the United States Magistrate Judge on duty in the District of Arizona.

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

☐ for 30 days (*not to exceed 30*)☐ until, the facts justifying, the later specific date of \_\_\_\_\_.

Date and time issued:

October 16, 2022  
5:06pm

Judge's signature

City and State: Phoenix, ArizonaHonorable Deborah M. Fine, U.S. Magistrate Judge

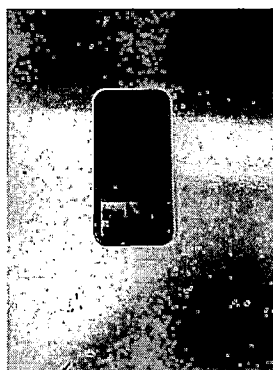
Printed name and title

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to the following electronic device recovered from the possession of FRANCISCO ACEVEDO during a lawful arrest. The device is located at the Gila River Police Department, at 639 W Seed Farm Rd Sacaton, AZ:

(1) Black Samsung Smartphone IMEI 355355111315122



**ATTACHMENT B**

All records and communications relating to the violation of Title 18, United States Code, Sections 1153 and 1111, Murder:

- a. Telephone numbers of incoming/outgoing calls stored in the call registry;
- b. Telephone numbers and email addresses and corresponding names to those numbers and addresses stored in the address book;
- c. Any incoming/outgoing text messages and instant messages;
- d. Telephone subscriber information;
- e. Any other electronic information in the stored memory and/or accessed by the active electronic features of the digital or cellular telephone, including but not limited to e-mail, voicemail, and photos; and,
- f. Global Positioning System (GPS) coordinates or any other location data stored within the device.

AO 93 (Rev. 01/09) Search and Seizure Warrant (Page 2)

**RETURN**

Case No.:

Date and Time Warrant Executed:

Copy of warrant and inventory left with:

Inventory Made in the Presence of:

Inventory of the property taken and name of any person(s) seized:

**CERTIFICATION**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: \_\_\_\_\_

\_\_\_\_\_  
Executing officer's signature\_\_\_\_\_  
Printed name and title

AO 93 (Rev. 01/09) Search and Seizure Warrant (Page 2)

## RETURN

Case No.:	Date and Time Warrant Executed:	Copy of warrant and inventory left with:
22-5424 MB	10-21-22 0916	FBI

Inventory Made in the Presence of:

Inventory of the property taken and name of any person(s) seized:

All Electronic data contained within the electronic devices listed in attachment A, to be extracted at a later date.

## CERTIFICATION

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date:

10-24-22

  
 Executing officer's signature

Det. Kyle Weeden 1448  
 Printed name and title

Application for a Search Warrant

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

## In the Matter of the Search of

*(Briefly Describe the property to be searched or identify the person by name and address)*Black Samsung Smartphone IMEI 355355111315122,  
currently located at the Gila River PD, 639 W Seed  
Farm Rd Sacaton, AZ 85147Case No. 22-5424MB

## APPLICATION AND AFFIDAVIT FOR A SEARCH WARRANT

I, Det. Kyle Weeden, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

As further described in Attachment A.

Located in the District of Arizona, there is now concealed *(identify the person or describe the property to be seized)*:

As set forth in Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:☒ evidence of a crime;

contraband, fruits of crime, or other items illegally possessed;

property designed for use, intended for use, or used in committing a crime;

a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code/Section	Offense Description
18 U.S.C. §1111	Murder

The application is based on these facts:

As set forth in Attachment C, incorporated herein by reference.

☒ Continued on the attached sheet.

☐ Delayed notice of \_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Reviewed by AUSA Raynette Logan RP  
Telephonically SwornKyle Weeden

Applicant's Signature

Kyle Weeden, Detective, Gila River Police Department

Applicant's printed name and title

Date issued: October 18, 20225:06pmDeborah M. Fine

Judge's signature

City and State: Phoenix, Arizona

Hon Deborah M. Fine, U.S. Magistrate Judge

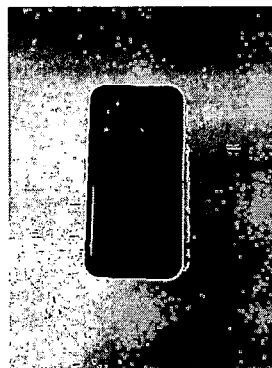
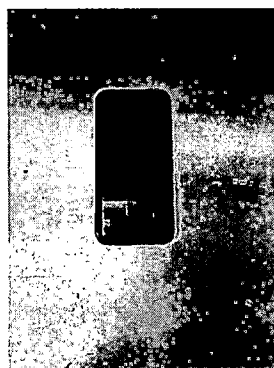
Printed name and title

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to the following electronic device recovered from the possession of FRANCISCO ACEVEDO during a lawful arrest. The device is located at the Gila River Police Department, at 639 W Seed Farm Rd Sacaton, AZ:

(1) Black Samsung Smartphone IMEI 355355111315122



**ATTACHMENT B**

All records and communications relating to the violation of Title 18, United States Code, Sections 1153 and 1111, Murder:

- a. Telephone numbers of incoming/outgoing calls stored in the call registry;
- b. Telephone numbers and email addresses and corresponding names to those numbers and addresses stored in the address book;
- c. Any incoming/outgoing text messages and instant messages;
- d. Telephone subscriber information;
- e. Any other electronic information in the stored memory and/or accessed by the active electronic features of the digital or cellular telephone, including but not limited to e-mail, voicemail, and photos; and,
- f. Global Positioning System (GPS) coordinates or any other location data stored within the device.



**ATTACHMENT C**

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

I, Kyle Weeden, Detective with the Gila River Police Department ("GRPD"), being duly sworn, depose and state as follows:

**INTRODUCTION**

The facts of this case, as more fully detailed herein, are that on or about April 17, 2022, within the confines of the Gila River Indian Community ("GRIC"), within the District of Arizona, FRANCISCO ACEVEDO (hereinafter referred to as ACEVEDO) killed J.G.2. near the vicinity of a home on E Macdonald Rd., Sacaton, Arizona (within the exterior boundaries of the Gila River Indian Community), thereby violating federal law by committing 1<sup>st</sup> Degree Murder, in violation of Title 18, United States Code, §§ 1153 and 1111. Further investigation resulted in the recovery of a Black Samsung Smartphone IMEI 355355111315122. The owner of the Black Samsung Smartphone IMEI 355355111315122, was identified as ACEVEDO. The phone was seized by the Gila River Police Department (GRPD) and is currently located at the GRPD Evidence Room, located at 639 W Seed Farm Rd Sacaton, AZ. I am requesting that the Court issue a search warrant to search for evidence located in the cell phone in support of an investigation into the aforementioned crime.

**PRELIMINARY BACKGROUND INFORMATION**

1. Your affiant is a graduate of the Northern Arizona Regional Training Academy located in Prescott, AZ. Your affiant has been employed with the GRPD since February 2018. Your affiant is currently assigned to the Criminal Investigations Division and has primary investigative responsibility in the area of violent crime, to include homicide, robbery, arson, and aggravated assaults.

2. Your affiant has obtained a Special Law Enforcement Commission through the Bureau of Indian Affairs. As such, your affiant is a law enforcement officer of the United States within the meaning

1 of 18 U.S.C. § 2510(7), and is thereby authorized to execute arrest and search warrants under the  
2 authority of the United States.

3 3. The facts in this affidavit come from my personal observations, my training and experience,  
4 and information obtained from other agents, officers, investigators and witnesses. This affidavit is  
5 intended to show merely there is sufficient probable cause for the requested warrant and does not set  
6 forth all of my knowledge about this matter. I have set forth only the facts I believe are necessary to  
7 establish probable cause to believe evidence of a violation of Title 18, United States Code, §§ 1153 and  
8 1111, is located within a cell phone seized over the course of the investigation, more fully described in  
9 Attachment A, for items listed in Attachment B.  
10

11  
12 4. This Court has jurisdiction over these offenses under 18 U.S.C. § 1153 because the below-  
13 described events occurred on the GRIC, a federally recognized tribe, and ACEVEDO and J.G.2 are  
14 enrolled members of federally recognized tribes.  
15

16 **DETAILS OF INVESTIGATION**

17 5. On April 17, 2022, I was directed by the GRPD SGT Ramirez to respond to a home on E  
18 McDonald Rd., Chandler, AZ, (within the exterior boundaries of the Gila River Indian Community) to  
19 assist with a death investigation.  
20

21 6. Upon arrival, I observed the front yard of the residence had been secured with yellow crime  
22 scene tape. I also observed multiple GRPD and Chandler Police Department (CPD) officers maintaining  
23 the perimeter. As I approached the scene, I heard the perimeter officers issuing loud verbal commands  
24 to a subject inside the crime scene. Once I entered the crime scene, I observed officers escorting a male  
25 subject, later identified as J.G.3, away from the carport and into the residence. Within the carport, I  
26 observed a deceased male subject, identified as J.G.2, lying on his back.  
27  
28

1           7.       While waiting for the rest of the investigative team, I contacted J.G.3 and asked him about  
2 the incident. According to J.G.3, his Uncle, E.G., was standing by the carport arguing with another family  
3 member, G.G. J.G.3 stated he believed they were arguing about "metal" and actions taken by J.G.3's  
4 brother. During the argument, J.G.3's father, J.G.2, tried to end the argument and told G.G. to leave.  
5 J.G.3 was concerned things would get out of hand so he went into the residence to gather the children  
6 and move them into a room away from the front door. Prior to going into the residence, J.G.3 stated he  
7 observed a subject standing near the road at the edge of the residence next door to the incident location.  
8 J.G.3 stated he recognized the subject as his cousin, ACEVEDO. J.G.3 stated ACEVEDO was standing  
9 facing the arguing party and had his hand resting on his hip. J.G.3 physically demonstrated the posture  
10 ACEVEDO was in. J.G.3 moved his hand over his hip and held it there like he was holding a holstered  
11 handgun.  
12

13  
14           8.       When J.G.3 went into the residence, he heard multiple gunshots come from the front yard.  
15 J.G.3 went out the front door and observed J.G.2 lying on the carport. J.G.2's girlfriend, M.M., ran over  
16 to J.G.2 and laid down next to him. J.G.4 ran out the front door to go help J.G.2. J.G.3 quickly grabbed  
17 J.G.4 before he could run to the carport and pulled J.G.4 back into the residence and closed the door.  
18 After closing the door, J.G.3 stated he heard a second round of gunfire. J.G.3 had another family member  
19 call 911 while he went back outside to check on J.G.2 and M.M. When he went outside, he observed  
20 M.M. lying over J.G.2. J.G.3 stated neither party was moving. J.G.3 also stated he could hear E.G. calling  
21 for help from the west side of the residence. J.G.3 stated when he went over to J.G.2, he observed M.M.  
22 was still breathing but did not observe any signs of life from J.G.2. J.G.3 also stated he observed G.G.  
23 lying on the ground near some trash cans by the south west corner of the property. J.G.3 remained with  
24 J.G.2 and M.M. until the police arrived.  
25  
26  
27  
28

1       9.       Once the Investigative team arrived on scene, we met with the initial responding officer,  
2 GRPD Ofc. J. Roberson, who provided the following in summary;

3       10.       On Sunday April 17, 2022 at approximately 2042 hours, GRPD officers were dispatched  
4 to a home on E McDonald Rd., Chandler, AZ. Upon arrival, officers located two male subjects who  
5 were later identified as J.G.2 and G.G., deceased near the carport. Officers also located a male subject,  
6 later identified as E.G., and a female subject, later identified as M.M., near the carport with possible  
7 gunshot wounds. E.G. and M.M. were transported to the Chandler Regional Medical Center for further  
8 treatment. Officers established a crime scene around the front yard by creating a perimeter utilizing  
9 yellow crime scene tape. While speaking with Ofc. Roberson, he advised a .45 caliber handgun had been  
10 located lying near J.G.2. The handgun was collected for officer safety reasons and secured in GRPD  
11 Officer B. Kisto's patrol unit.  
12  
13

14       11.       After speaking with the initial responding officers, we conducted a walkthrough of the  
15 crime scene. We entered the crime scene from the south eastern corner and approached the driveway,  
16 where three vehicles (a red SUV and two white trucks) were parked. Next to the red SUV, I observed  
17 two trash cans placed near the southsest corner of the property. In front of the trash cans, I observed  
18 multiple pools and drops of a red substance I recognized through my training and experience as blood. I  
19 also observed a deceased male subject lying in front of the trash cans, who was later identified as G.G.  
20 Along the driveway leading to the carport, I observed multiple spent shell casings and other items of  
21 potential evidentiary value, which were marked with yellow numbered placards. Once we reached the  
22 carport, I observed a second deceased male subject, identified as J.G.3, lying on his back. Near the  
23 carport, were additional spent shell casings and other items of evidentiary value, which were also labeled  
24 with yellow numbered placards.  
25  
26  
27  
28

1           12.     On April 19, 2022, I responded to the Pinal County M.E. office to observe the autopsy of  
2 G.G. and J.G.2. The autopsies were completed by Dr. A. Wiens. The first subject Dr. Wiens conducted  
3 an autopsy on was G.G. According to Dr. Wiens, they located two gunshot wounds on G.G.'s body. The  
4 first gunshot wound had an entry wound located in the front left breast along the upper chest with an exit  
5 wound along the back left shoulder blade. The second gunshot wound had an entry wound at the base of  
6 G.G.'s skull near the back of the neck and an exit wound at the top right side of G.G.'s forehead. Dr.  
7 Wiens advised the projectile would have passed through the skull and destroyed the section of the brain  
8 that controls motor function, which would have caused G.G. to immediately collapse to the ground.  
9

10           13.     After completing the autopsy of G.G., Dr. Wiens completed an autopsy of J.G.2. Once the  
11 autopsy was completed, Dr. Wiens provided us with a preliminary conclusion of the examination. Dr.  
12 Wiens stated J.G.2 had been shot approximately 12 times. Dr. Wiens advised J.G.2 had massive damage  
13 to his internal organs caused by the numerous projectiles.  
14

15           14.     On April 20, 2022, I responded to the Chandler Regional Hospital, along with GRPD Det.  
16 J. Vargas, to conduct follow up interviews with M.M. and E.G. The first subject we spoke with was E.G.  
17 According to E.G., G.G. came over to the residence and demanded J.G.2 give him a rifle. J.G.2 refused  
18 to provide G.G. with a rifle and an argument began. During the argument, E.G. stated he had enough of  
19 the arguing and turned to walk away. When E.G. turned to walk away he heard multiple gunshots go off  
20 directly behind him. Since the gunshots came from directly behind him, E.G. believed G.G. was the one  
21 who started firing at him and J.G.2. E.G. stated he was hit in the back, which caused him to fall to the  
22 ground near the side of the carport. E.G. stated he immediately heard additional gunfire come from right  
23 next to him as J.G.2 began firing back at G.G. Once the first volley of gunfire stopped, E.G. stated he  
24 saw his nephew, ACEVEDO, walk up the driveway to where E.G. was lying on the ground. E.G. stated  
25 ACEVEDO stopped approximately 5 to 6 feet away and shot E.G. multiple times. After shooting E.G.,  
26  
27  
28

1 he stated ACEVEDO walked over to J.G.2 and shot J.G.2 multiple times. E.G. stated that while  
2 ACEVEDO was at the carport, he was shooting at anyone he could see, including M.M., before running  
3 away.

4 15. After speaking with E.G., we spoke with M.M. M.M. stated G.G. walked over to the  
5 residence and began arguing with E.G. and J.G.2 near the carport. During the argument, M.M. stated  
6 J.G.2 became concerned the argument would turn deadly due to past experiences with G.G. J.G.2 went  
7 into the residence and returned to the carport holding a handgun and continued arguing with G.G. M.M.  
8 stated she did not observe any weapons in G.G.'s possession. During the argument, E.G. and G.G. walked  
9 over to a pair of trash cans near the edge of the property and continued arguing. During the argument,  
10 E.G. started walking away. When E.G. turned to walk away, M.M. stated she heard gunfire and saw  
11 muzzle flashes near the edge of the property behind G.G. M.M. stated J.G.2 told her to run and began  
12 firing in the direction of the gunfire, where G.G. was standing. M.M. stated J.G.2 fell down to the ground,  
13 because he was hit by multiple rounds. M.M. ran over to J.G.2 and laid next to him. M.M. stated J.G.2  
14 was barely conscious but responded to her voice and smiled at her when she tried to talk to him. M.M.  
15 stated she observed ACEVEDO walk up the driveway from the same spot she observed the muzzle  
16 flashes. ACEVEDO walked over to E.G. and shot him multiple times before walking over to J.G.2 and  
17 M.M. ACEVEDO stood by J.G.2's feet and fired 3-4 rounds into J.G.2's abdomen. After shooting J.G.2,  
18 M.M. stated ACEVEDO placed the gun directly against her shoulder and fired the gun. M.M. stated she  
19 thought ACEVEDO believed he shot her in the chest because he silently stood next to her and J.G.2,  
20 watching them for approximately one minute before leaving. M.M. stated she remained completely still  
21 and believed ACEVEDO was watching them to ensure they were dead. M.M. stated she remained where  
22 she was until officers and paramedics arrived.  
23  
24  
25  
26  
27  
28

17. I went to the CPD and met with Ofc. Rodgers. Ofc. Rodgers provided me with a clear bag containing a Black in color Samsung Smartphone, IMEI 355355111315122, which was confiscated from ACEVEDO during the original arrest.

18. Based on my training and experience, consultation with other law enforcement officers, and all of the facts as set forth in this affidavit, there is sufficient probable cause to believe a violation of Title 18, U.S.C., § 1153 and 1111, Murder, has been committed, and evidence of the crime will be found in the cell phone described in this Affidavit and Attachment A. I believe that names, nicknames, and/or telephone numbers of other subjects involved in, and associated with the murder, as well as data describing the time, date, the duration of incoming and outgoing calls to the cellular phones, incoming and outgoing text messages, and other electronic data as listed in Attachment B, will be located on the electronic devices. Wherefore, your affiant respectfully requests a warrant be issued authorizing law enforcement to examine, analyze, and make record of the contents of the information stored in the seized cell phones described in this Affidavit and Attachment A, which is presently in the custody of the Gila



1 River Police Department. This affidavit was sworn telephonically before a United States Magistrate  
2 Judge legally authorized to administer an oath for this purpose.

3 I declare under penalty of perjury under the laws of the United States of America that the foregoing  
4 is true and correct.  
5

6  
7 Dated: 10-18-22

Kyle Weeden  
Detective Kyle Weeden  
Gila River Police Department

8  
9  
10 Subscribed and sworn to before me this 18 day of October, 2022.

@ 5:06 pm  
Deborah M. Fine  
Honorable Deborah M. Fine  
United States Magistrate Judge  
District of Arizona